

# PATENT COOPERATION TREATY

M

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

## PCT

To: MICHAEL J. MALLIE  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
12400 WILSHIRE BOULEVARD  
7TH FLOOR  
LOS ANGELES, CA 90025

RECEIVED

APR 09 2001

NOTIFICATION OF TRANSMITTAL OF  
INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

(PCT Rule 71.1)

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN  
LOS ANGELES

Date of Mailing  
(day/month/year)

05 APR 2001

Applicant's or agent's file reference

03801.P001PCT

IMPORTANT NOTIFICATION

International application No.

PCT/US99/18510

International filing date (day/month/year)

12 AUGUST 1999

Priority Date (day/month/year)

23 OCTOBER 1998

Applicant

EBAY, INC.

NO DOCKETING REQUIRED

Docketing Mgr.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US  
Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Authorized officer

VIET VU

Telephone No. (703) 305-9600

*James R. Matten*

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference <b>03801.P001PCT</b>	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. <b>PCT/US99/18510</b>	International filing date (day/month/year) <b>12 AUGUST 1999</b>	Priority date (day/month/year) <b>23 OCTOBER 1998</b>
International Patent Classification (IPC) or national classification and IPC IPC(7): G06F 1300, 17/30 and US Cl.: 705/27; 707/10; 709/219		
Applicant <b>EBAY, INC.</b>		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of <u>0</u> sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step or industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand <b>12 MAY 2000</b>	Date of completion of this report <b>15 MARCH 2001</b>
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer <b>VIET VU</b> <i>James R. Matten</i>
Facsimile No. (703) 305-3230	Telephone No. (703) 305-9600

**I. Basis of the report****1. With regard to the elements of the international application:\***

- ☒ the international application as originally filed
- ☒ the description:  
pages 1-17  
pages NONE , as originally filed  
pages NONE , filed with the demand  
pages \_\_\_\_\_ , filed with the letter of \_\_\_\_\_
- ☒ the claims:  
pages 18-21  
pages NONE , as originally filed  
pages NONE , as amended (together with any statement) under Article 19  
pages NONE , filed with the demand  
pages \_\_\_\_\_ , filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
pages 1-12  
pages NONE , as originally filed  
pages NONE , filed with the demand  
pages \_\_\_\_\_ , filed with the letter of \_\_\_\_\_
- ☒ the sequence listing part of the  
description: NONE  
pages NONE , as originally filed  
pages NONE , filed with the demand  
pages \_\_\_\_\_ , filed with the letter of \_\_\_\_\_

**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

- These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:
- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international**

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

**4. ☒ The amendments have resulted in the cancellation of:**

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/fig NONE

**5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\*Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/18510

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. statement**

Novelty (N)

Claims	<u>1-17</u>	YES
Claims	<u>NONE</u>	NO

Inventive Step (IS)

Claims	<u>NONE</u>	YES
Claims	<u>1-17</u>	NO

Industrial Applicability (IA)

Claims	<u>1-17</u>	YES
Claims	<u>NONE</u>	NO

**2. citations and explanations (Rule 70.7)**

1. Claims 1-17 lack an inventive step under PCT Article 33(3) as being obvious over Sheridan.

Sheridan discloses a method of distributing images over the Internet comprising:

- a) harvesting images of different formats from a plurality of sites based on user-supplied information (see col 4, lines 42-47, col 9, lines 54-57, col 11, lines 23-36),
- b) creating thumbnail images corresponding to the harvested images (see col 5, lines 35-41),
- c) combining thumbnail images onto a page for presentation at a remote site (see col 5, lines 19-35).

Sheridan does not teach compiling the thumbnail images onto a web page. The use of web pages for allowing access of information over the Internet is well-known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to compiling and indexing one or more set of thumbnail images onto a web page for presentation at a remote site because it would have enabled a remote user to access the selected images using a conventional web browser.

## ----- NEW CITATIONS -----

US 5,760,917 A (SHERIDAN) 02 June 1998, see cols 1-10.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/18510

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10